



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

**THE TRIAL CHAMBER****SPECIAL TRIBUNAL FOR LEBANON**

**Case No:** STL-11-01/T/TC

**Before:** Judge David Re, Presiding  
Judge Janet Nosworthy  
Judge Micheline Braidy  
Judge Walid Akoum, Alternate Judge  
Judge Nicola Lettieri, Alternate Judge

**Registrar:** Mr Daryl Mundis

**Date:** 24 November 2017

**Original language:** English

**Classification:** Public

**THE PROSECUTOR**

v.

**SALIM JAMIL AYYASH  
HASSAN HABIB MERHI  
HUSSEIN HASSAN ONEISSI  
ASSAD HASSAN SABRA**

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**ORDER TO THE ONEISSI DEFENCE REGARDING TWO DOCUMENTS  
SOUGHT FOR ADMISSION INTO EVIDENCE**

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**Office of the Prosecutor:**Mr Norman Farrell & Mr Alexander Hugh  
Milne**Legal Representatives of  
Participating Victims:**Mr Peter Haynes, Mr Mohammad F. Mattar  
& Ms Nada Abdelsater-Abusamra**Counsel for Mr Salim Jamil Ayyash:**Mr Emile Aoun, Mr Thomas Hannis &  
Mr Chad Mair**Counsel for Mr Hassan Habib Merhi:**Mr Mohamed Aouini, Ms Dorothée Le Fraper  
du Hellen & Mr Jad Youssef Khalil**Counsel for Mr Hussein Hassan Oneissi:**Mr Vincent Courcelle-Labrousse, Mr Yasser  
Hassan & Ms Natalie von Wistinghausen**Counsel for Mr Assad Hassan Sabra:**Mr David Young, Mr Geoffrey H. Winters  
Ms Sarah Bafadhel

1. On 21 November 2017, counsel for the Accused, Mr Hussein Hassan Oneissi, filed an application requesting the Trial Chamber to admit into evidence exhibits 4D357 MFI (a filtered landline call sequence table,<sup>1</sup> entitled 'Filtered OTP ECT/CST/0123'), 4D363 MFI (a document listing a selection of calls of mobiles allegedly attributed to Oneissi family members) and 4D364 MFI (maps of movements of mobiles in the period December 2004 - February 2005).<sup>2</sup>

2. It is in the interests of justice and expeditiousness of the proceedings that counsel for Mr Oneissi provide, in support of the *prima facie* reliability and, accordingly, probative value of exhibits 4D357 MFI and 4D363 MFI, the statement(s) of the creator(s) of these two documents. This would also allow the Prosecution to reproduce and verify them.

3. The Trial Chamber therefore orders counsel for Mr Oneissi to provide, by 1 December 2017, the statement(s) of the person(s) who created exhibits 4D357 MFI and 4D363 MFI. The Trial Chamber urges the Parties to cooperate so as to reach an agreement on the admissibility of the documents.

Done in Arabic, English, and French, the English version being authoritative.

Leidschendam,  
The Netherlands  
24 November 2017

*David Re*

Judge David Re, Presiding

*Janet Nosworthy*

Judge Janet Nosworthy

*Micheline Braidy*

Judge Micheline Braidy



<sup>1</sup> Call sequence tables present chronological sequences of calls relating to particular, or target, telephone numbers over a specified period of time, comprising relevant call data records and cell site information. See STL-11-01/T/TC, *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi and Sabra*, F1937, Decision on Five Prosecution Motions on Call Sequence Tables and Eight Witness Statements and on the Legality of the Transfer of Call Data Records to UNIIIC and STL's Prosecution, 6 May 2015, para. 2.

<sup>2</sup> STL-11-01/T/TC, *Prosecutor v. Ayyash, Merhi, Oneissi and Sabra*, F3419, Oneissi Defence Motion for the Admission into Evidence of Three Documents Marked for Identification, 21 November 2017.